IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION NO : 8381 of 2004

Between:

Singana Rama Subbamma, W/o. Viswanatha Reddy,
r/o. Cherlopalli hamlet of Verikunta Village, Atloor Mandal,

Cuddapah District.

... PETITIONER

AND

The Special Deputy Collector (LA),
Somasila Project Unit-4, Rajampet, Cuddapah District.

...RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ order or direction, more particularly a Writ of Mandamus, declaring the action of the respondent in not paying the compensation amount to the petitioner for acquiring her land, is illegal, arbitrary and unconstitutional consequently direct the respondent to pay the compensation amount forthwith to the petitioner.

Counsel for the Petitioner:MR.K.V.SUBBA REDDY

Counsel for the Respondent : GP FOR LAND ACQUISITION

The Court made the following :

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ORDER:

The petitioner is a resident of Cherlopalli H/o. Verikunta village of Atloor Mandal, Cuddapah District. He is the owner of the land admeasuring Ac.0-41 cents in Sy.No.495 of the said village. The said land was acquired for the purpose of Somasila Project, under award No.31/99-2000, dated 18.01.1999, but the compensation was not paid. Therefore, the petitioner filed the present writ petition, seeking a direction to the respondent to pay the compensation forthwith.

The respondent filed a counter affidavit admitting the factum of acquisition of the petitioner's land and also stated that the amount payable to the petitioner has been kept in revenue deposit and that the same could not be withdrawn, as there is a prohibitory order passed by the Court of the District Judge, Cuddapah in E.P.No.77 of 2002 in L.A.O.P.No.364 of 2000, dated 3.4.2003. Therefore, the petitioner is given liberty to approach the Court of the District Judge, Cuddapah, and move an appropriate application in E.P.No.77 of 2002. In this writ petition, no direction can be granted to the respondent to act contrary to the orders passed by the Civil Court.

The writ petition, with the above observations, is dismissed. No costs.

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(V.V.S.RAO, J)

12th October, 2004.

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To

1) The Special Deputy Collector (LA),
Somasila Project Unit-4,

Rajampet, Cuddapah District.

2) Two C.Cs to the Govt.Pleader for Land Revenue,

High Court buildings, Hyderabad (OUT)

3) Two C.D. copies.